FAX

To: Sharon Jaffess

Voice Phone Number: 1-212-637-4396

From: Clifford Firstenberg

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MESSAGE

Sharon

Here is CLH's response to your letter. I will send the original via FEDEX today; and follow-up with copies to NJDEP tomorrow.

Thanks
Cliff

Date: 4/25/00 Pages: 1 of 1 **836200001**

Two Tower Center Blvd.
10th Floor
East Brunswick, New Jersey 08816

CHEMICAL LAND HOLDINGS, INC.

April 25, 2000

U.S. Environmental Protection Agency, Region II
Emergency and Remedial Response Division
290 Broadway, 19th Floor, Room W-20
New York, NY 10007-1866

Attention: Ms. Sharon J. Jaffess
Remedial Project Manager

Subject: April 17, 2000 EPA Letter
Re: Passaic River Study Area
Administrative Order on Consent Index No. II-CERCLA-0117
Remedial Investigation Feasibility Study – Ecological Sampling
(Mudflat Locations and Tissue Configurations)

Dear Ms. Jaffess:

As stated in my e-mail acknowledgement on April 24, 2000, Chemical Land Holdings (CLH) received the above-referenced letter on April 24, 2000, to which this letter responds.

Your letter requires that we discuss a number of questions raised by the Biological Technical Assistance Group (BTAG) prior to initiation of the Spring ESP sampling event, and if necessary, meet to discuss these items. As you know from my e-mails dated March 6, 2000 and April 21, 2000, as well as from our conversation on April 20, 2000, we are planning to begin the Spring sampling event on May 1, 2000; and have begun mobilization according to the schedule submitted to you in my latest e-mail. Therefore, I prefer that we resolve these questions via letter, phone, etc., or we may need to postpone the start of the Spring sampling event to accommodate everyone's schedule to convene a meeting.

In response to the specific items in your letter:

1a. GPS Coordinates for Mudflats.

We have these data (as shown during CLH's presentation to the Community Action Group on September 9, 1999) and based on your request, have initiated preparations to submit these to the Agency as soon as possible. To expedite the process, you will receive the requested maps under separate cover from ENTRIX. We have not prepared an assessment of the changes in the mudflat configurations compared to the ESP. This was not a requirement of the RI Work Plan, nor the ESP Work Plan, and may provide ill-based results since the mudflats illustrated on the ESP maps were interpreted from aerial photography. Therefore, these original illustrations do not represent a dataset comparable to surveyed locations.

1b. Tissue data - mudflats

The letter refers to "the text" with the implication that this is the text from the ESP. You are correct, the ESP specifies Stations 1, 4, and 7 for mummichog and crab sample collection for the Spring event. CLH does not, however, recall any agreement to alter the ESP sampling locations to 1, 11, and 14. While CLH is open to BTAG/EPA suggestions regarding alternate sampling stations, it would be inappropriate to collect a sample for the purposes of the ESP from a Judgemental Sampling station, as there is a known bias to these stations. Therefore, to better represent each of the 2-mile segments of the Study Area, CLH suggests stations 1, 8, and 11, which are consistent with the locations of the upper trophic level tissue samples.

2. Passaic River Study Area Reaches

The letter is unclear in its reference to "reaches" in the Passaic River. CLH assumes that by reach 1, 2, and 3, EPA is referring to 2-mile segments of the river, rather than to the 5 named Reaches within the Study Area (Point-No-Point, Harrison, Newark, Kearny, and part of Arlington). Following are the sample locations with descriptions of their locations within the Study Area.

SUMMARY OF SAMPLING CONDUCTED DURING LS/EF
ESP SAMPLING PROGRAM

Reach	Sampling Description	Comments
1	Station 1	Less than ½-mile upstream from downstream boundary of Study Area.
2	Station 8	Approximately mid-way within mile segments 2-4.
3	Station 11	Approximately ½-mile downstream from upper boundary of Study Area.

The planned distribution of upper trophic level tissue samples was provided to EPA in CLH's letter dated October 22, 1999. This letter contained two tables as follows:

1. ESP LATE SUMMER/EARLY FALL UPPER TROPHIC LEVEL FISH CATCH SUMMARY – shows a summary of the catch achieved versus the ESP targets.
2. ESP LATE SUMMER/EARLY FALL UPPER TROPHIC LEVEL FISH CATCH DISTRIBUTION - shows the catch achieved and the planned samples by station and area.

CLH complied with this plan in its distribution of upper trophic level fish tissue to the analytical laboratories for analysis. For your convenience, copies of the above-referenced tables are attached to this letter.

I will call to follow up on the issues/questions raised in EPA's letter. However, please let me know if this addresses the concerns of the BTAG and EPA regarding the Spring sampling event under this ESP.

Sincerely,

C. Firstenberg

Clifford E. Firstenberg
Project Manager
On behalf of Occidental Chemical Corporation
(as successor to Diamond Shamrock Chemicals Company)

Attachment

Copy to: J. Berg, NJDEP
A. Hayton, NJDEP
C. Dinkins

ESP LATE SUMMER/EARLY FALL
UPPER TROPHIC LEVEL FISH CATCH
SUMMARY

Target Number of Samples	**Passaic**	**Mullica**
Striped Bass Adult - Whole	3	3
Striped Bass Juvenile - Whole	3	3
White perch - Whole	9	3
American Eel - Whole	9	3
Total	**24**	**12**
Number of Samples Collected		
Striped Bass Adult - Whole	3	1
Striped Bass Juvenile - Whole	3	0
White perch - Whole	9	0
American Eel - Whole	0	1
Other	0	0
Atlantic Menhaden	6	2
Bluefish	2	1
Total	**23**	**5**
Target Number of Samples	**12**	
Total Number of Samples	**8**	

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ESP LATE SUMMER/EARLY FALL
UPPER TROPHIC LEVEL FISH CATCH
DISTRIBUTION

Station	Species	Total Fish Caught	Fish Used for Pathology	Fish Available for Chemistry		Fish for Whole Body Analyses				Fish for Edible Fillets		Frozen & Saved for Spring
						Target		Actual				
			Number of Fish	Number of Fish	Total Weight (grams)	Number of Fish	Number of Samples	Number of Fish	Number of Samples	Number of Fish	Number of Samples	
	Pamunkey River Study Area											
1	Striped Bass - Adults	15	3	12	5554	2	1	4	2	6	3	2
	Striped Bass - Juvenile	4	2	2	68	2	1	2	0			0
	White Perch	1	1	0	0	6	3	0	0			0
	Eel	0	0	0	0	6	3	0	0	0	0	0
	Other											
	Atlantic Menhaden	17	3	14	4814			6	3			8
	Bluefish	10	2	8	2075			4	2	4	1	0
	Blueback Herring	2	1	1	30							1
	Gizzard Shad	4	0	4	4253							4
	Weakfish	1	0	1	60							1
8	Striped Bass - Adults	11	3	8	4544	2	1	2	1	6	3	0
	Striped Bass - Juveniles	11	4	7	861	2	1	2	1	0	0	5
	White Perch	40	6	34	2684	6	3	15	4			19
	Eel	0	0	0	0	6	3	0	0			0
	Other											
	Atlantic Menhaden	50	4	46	11890			6	3			40
	Bluefish	5	2	3	266							3
	Blueback Herring	2	1	1	120							1
	Gizzard Shad	1	0	1	929							1
	Weakfish	2	2	0	0							0
11	Striped Bass - Adults	2	0	2	301	2	1	0	0	2	1	0
	Striped Bass - Juveniles	6	1	5	761	2	1	3	2			2
	White Perch	39	3	36	2489	6	3	33	5			3
	Eel	0	0	0	0	6	3	0	0	0	0	0
	Other											
	Atlantic Menhaden	2	1	1	352							1
	Gizzard Shad	2	0	2	1843							2
	Channel Catfish	1	1	0	0							0

ESP LATE SUMMER/EARLY FALL
UPPER TROPHIC LEVEL FISH CATCH
DISTRIBUTION

Station	Species	Total Fish Caught	Fish Used for Pathology	Fish Available for Chemistry		Fish for Whole Body Analyses				Fish for Edible Fillets		Frozen & Saved for Spring
						Target		Actual				
			Number of Fish	Number of Fish	Total Weight (grams)	Number of Fish	Number of Samples	Number of Fish	Number of Samples	Number of Fish	Number of Samples	
	Within Reference Area											
21	Striped Bass - Adults	5	1	4	420	2	1	0	0			4
(5‰)	Striped Bass - Juveniles	0	0	0	0	2	1	0	0			0
	White Perch	8	4	4	420	6	3	0	0			4
	Eel	2	1	1	60	6	3	1	0			0
	Other											
	Bluefish	4	1	3	1310			2	1			1
	Blueback Herring	1	0	1	260							1
	Channel Catfish	3	1	2	710							2
	Gizzard Shad	1	0	1	1070							1
	Hogchoker	1	0	1	30							1
	Alewife	1	1	0	0							0
22	Striped Bass - Adults	1	0	1	830	2	1	1	1			0
(15‰)	Striped Bass - Juveniles	0	0	0	0	2	1	0	0			0
	White Perch	3	2	1	4	6	3	1	0			0
	Eel	3	0	3	164	6	3	3	1			0
	Other											
	Bluefish	7	2	5	1750			2	1			3
	Gizzard Shad	1	1	0	0							0
23	Striped Bass - Adults	0	0	0	0	2	1	0	0			0
(25‰)	Striped Bass - Juveniles	0	0	0	0	2	1	0	0			0
	White Perch	1	1	0	0	6	3	0	0			0
	Eel	0	0	0	0	6	3	0	0			0
	Other											
	Atlantic Menhaden	2	1	1	30							1
	Bluefish	20	5	15	6620			2	1			13
	Blueback Herring	4	1	3	210							3
	Gizzard Shad	3	2	1	900							1
	Northern Kingfish	1	0	1	330							1
	Summer flounder	1	0	1	630							1
	Spot	6	1	5	400							5
	Weakfish	45	5	40	20240							40
	Fine-toothed shark	2	0	2	5020							2
	Black Drum	1	0	1	120							1
	Blackwinged Sea Robbin	1	0	1	180							1
	Blue Runner	1	0	1	50							1
	Red Ear Sardine	2	1	1	330							1
	Unknown Grouper	2	0	2	-							2